



Attorney Docket No.: WD2-97-006

GAU-2706/1#

H10
8-24-99
P.2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Jay S. Walker et al.

For: SYSTEM AND METHOD FOR
PERFORMING LOTTERY
TICKET TRANSACTIONS
UTILIZING POINT-OF-SALE
TERMINALS

Examiner: Hrayr Sayadian

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AUG 23 1999

Group 2700

Serial No.: 08/822,709

Group Art Unit: 2766

Filing Date: March 21, 1997

Docket No.: WD2-97-006

Assistant Commissioner for Patents
Washington, D.C. 20231

TRANSMITTAL LETTER

Sir:

Applicants hereby submit the following documents for the above-identified patent application:

1. Supplemental Information Disclosure Statement;
2. Form PTO-1449;
3. Copy of references cited therein; and
4. Postcard.

The Commissioner is hereby authorized to charge the associated filing fee in the amount of \$ 240.00 to Deposit Account No. 50-0271. Order No. WD2-97-006. A duplicate copy of this sheet is attached.

The Assistant Commissioner is further authorized to charge any additional fees which may be required for the submission of this paper, or credit any overpayment, to Deposit Account No. 50-0271. Order No. WD2-97-006. A duplicate copy of this authorization is attached.

Respectfully submitted,

Dean Alderucci
Attorney for Applicants
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August 16, 1999

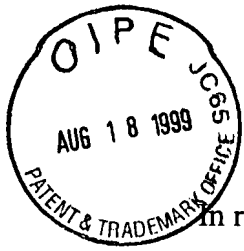
Date

Certificate of Mailing

I hereby certify that this correspondence is being sent via first class mail in an envelope with sufficient postage addressed to Assistant Commissioner for Patents, Washington, D.C. 20231 on August 16, 1999.

Veronika S. Leliever
Typed Name of Person Making Deposit

Veronika S. Leliever
Signature
8/16/99
Date



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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

Applicants submit herewith patents, publications or other information of which they are aware that they believe may be material to the examination of this application, and in respect of which, there may be a duty to disclose.

The filing of this information disclosure statement shall not be construed as a representation that a thorough search has been made, an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists. Nor shall the filing of this information disclosure statement be construed as an admission against interest in any manner.

This Information Disclosure Statement is filed in accordance with 37 C.F.R. §§1.56, 1.97 and 1.98. The items listed below and on the accompanying Form PTO-1449 may be deemed to be pertinent to the above-identified application and are made of record to assist the Patent and Trademark Office in its examination of this application. The Examiner is respectfully requested to fully consider these items and to independently ascertain their teaching.

08/19/1999 ABRAHIM 00000073 500271 08822709

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- A. U. S. Patent No. 4,723,212 entitled "METHOD AND APPARATUS FOR DISPENSING DISCOUNT COUPONS", issued to Mindrum et al. on February 2, 1988.
- B. U. S. Patent No. 4,876,592 entitled "SYSTEM FOR MERCHANDISING AND THE EVALUATION OF RESPONSES TO BROADCAST TRANSMISSIONS", issued to Henry Von Kohorn on October 24, 1989.
- C. U.S. Patent No. 4,902,880 entitled "CARD READER SYSTEM AND METHOD WITH PRINTING AND VERIFICATION CAPABILITY" issued to Garczynski et al. on February 20, 1990.
- D. U.S. Patent No. 5,025,372 entitled "SYSTEM AND METHOD FOR ADMINISTRATION OF INCENTIVE AWARD PROGRAM THROUGH USE OF CREDIT", issued to Burton et al. on June 18, 1991.
- E. U.S. Patent No. 5,173,851 "METHOD AND APPARATUS FOR DISPENSING DISCOUNT COUPONS IN RESPONSE TO THE PURCHASE OF ONE OR MORE PRODUCTS", issued to Off et al. on December 22, 1992.
- F. U.S. Patent No. 5,239,165 "BAR CODE LOTTERY TICKET HANDLING SYSTEM", issued to Jeffrey M. Novak on August 24, 1993.
- G. U.S. Patent No. 5,256,863 "IN-STORE UNIVERSAL CONTROL SYSTEM", issued to Ferguson et al. on October 26, 1993.
- H. U.S. Patent No. 5,297,026 entitled "SYSTEM FOR PROMOTING ACCOUNT ACTIVITY", issued to Frank Hoffman on March 22, 1994.
- I. U.S. Patent No. 5,305,195 "INTERACTIVE ADVERTISING SYSTEM FOR ON-LINE TERMINALS", issued to Arthur J. Murphy on April 19, 1994.

- J. U.S. Patent No. 5,371,796 entitled "DATA COMMUNICATION SYSTEM" issued to Simon A.B. Avarne on December 6, 1994.
- K. U.S. Patent No. 5,539,189 entitled "CARD HOLDER'S PAGING SYSTEM FOR COMMERCIAL CARD DATA NETWORK", issued to Sheila Wilson on July 23, 1996.
- L. NCR 7452 Workstation;
(<http://www.ncr.com/product/retail/products/catalog/7452.shtml>); download date September 23, 1997.
- M. Jeff McKinney, "Merchant program could pay off for provident", The Cincinnati Enquirer Financial Section, pg. E02. (March 24, 1996).
- N. U.S. Patent No. 5,619,558 entitled "ATM SEGMENT OF ONE MARKETING METHOD", issued to Elizabeth A. Jheeta on April 8, 1997.
- O. U.S. Patent No. 5,621,812 entitled "METHOD AND SYSTEM FOR BUILDING A DATABASE FOR USE WITH SELECTIVE INCENTIVE MARKETING IN RESPONSE TO CUSTOMER SHOPPING HISTORIES", issued to Deaton et al. on April 15, 1997.
- P. U.S. Patent No. 5,638,457 entitled "METHOD AND SYSTEM FOR BUILDING A DATABASE FOR USE WITH SELECTIVE INCENTIVE MARKETING IN RESPONSE TO CUSTOMER SHOPPING HISTORIES", issued to Deaton et al. on June 10, 1997.
- Q. U. S. Patent No. 5,642,484 entitled "PUMP TOP ADVERTISIEMENT DISTRIBUTION AND DISPLAY SYSTEM WITH PERFORMANCE AND

SALES INFORMATION FEEDBACK”, issued to Harrison, III et al. on June 24, 1997.

- R. U.S. Patent No. 5,642,485 entitled “METHOD AND SYSTEM FOR SELECTIVE INCENTIVE POINT-OF-SALE MARKETING IN RESPONSE TO CUSTOMER SHOPPING HISTORIES”, issued to Deaton et al. on June 24, 1997.
- S. U.S. Patent No. 5,644,723 entitled “METHOD AND SYSTEM FOR SELECTIVE INCENTIVE POINT-OF-SALE MARKETING IN RESPONSE TO CUSTOMER SHOPPING HISTORIES”, issued to Deaton et al. on July 1, 1997.
- T. U.S. Patent No. 5,649,114 entitled “METHOD AND SYSTEM FOR SELECTIVE INCENTIVE POINT-OF-SALE MARKETING IN RESPONSE TO CUSTOMER SHOPPING HISTORIES”, issued to Deaton et al. on July 15, 1997.
- U. U.S. Patent No. 5,652,421 entitled “METHOD AND APPARATUS FOR GENERATING GIFT CERTIFICATES” issued to Veeneman et al. on July 29, 1997.
- V. U.S. Patent No. 5,655,007 entitled “TELEPHONE BASED CREDIT CARD PROTECTION” issued to Alex McAllister on August 5, 1997.
- W. U.S. Patent No. 5,832,457 entitled “METHOD AND APPARATUS FOR SELECTIVE DISTRIBUTION OF DISCOUNT COUPONS BASED ON PRIOR CUSTOMER BEHAVIOR” issued to O’Brien et al. on November 3, 1998.
- X. U.S. Patent No. 5,845,259 entitled “ELECTRONIC COUPON DISPENSING SYSTEM” issued to West et al. on December 1, 1998.

- Y. Lisa Fickenscher, "Merchant: American Express Seeks to Mine Its Data on Cardholder Spending Patterns"; The American Banker, pg. 20. (March 24, 1997)
- Z. "Industry Briefs", Card News, Phillips Business Information, Inc.; Vol. 12, No. 11 (June 9,m 1997)
- AA. Kate Fitzgerald, "Amex Program Moves Loyalty To Next Level: Custom Extras Finds a Medium Customers Can't Ignore: Billing Statements", Advertising Age, News, pg. 2. (November 4, 1996)
- BB. Lisa Fickenscher, "Amex t Start Free Rewards Program with Discounts on Merchandise", The American Banker, pg. 10. (October 18, 1996)
- CC. Brad Hoeschen, "Brookfield Square hopes mall card strikes a chord", The Business Journal of Milwaukee Inc. 1997; Business Dateline; Business Journal-Milwaukee (September 12, 1997)
- DD. Charles Davis, "Dispensing the future", Electronic Payments International, Feature Section, pg. 12. (May 1997)
- EE. "Reaching Out In New Directions – Introducing U\$A Value Exchange", First Data Corp. Merchant Services, Brochure.
- FF. NCR 7453 PC-Based Point-Of-Sale Solution, ©1998 NCR Corporation
- GG. PCT Written Opinion for Application No PCT/US98/05787, dated July 29, 1999.
- HH. PCT International Search Report for Application No. PCT/US98/05787, dated May 12, 1999.

1. ☐ Any copy of the items listed above and on the enclosed copy of Form PTO-1449 that is not enclosed with this Information Disclosure Statement was previously cited by or submitted to the Patent and Trademark Office in the prior ☐ Continuation, ☐ Divisional or ☐ Continuation in part application filed under 37 C.F.R. §§ 1.53 or 1.60, U.S. Serial No. _____, filed _____.
2. ☐ For each of the following items listed above and on the enclosed copy of Form PTO-1449 that is not in the English language, a European Search Report from a counterpart European application is enclosed. Such items are marked as reference letter(s): _____.
3. ☐ For each of the following items listed above and on the enclosed copy of Form PTO-1449 that is not in the English language, a concise explanation of the relevance of that item is incorporated in the specification of the above-identified application. Such items are marked as reference letter(s): _____.
4. ☐ In addition to the citations listed above, applicants respectfully direct the Examiner's attention to the following U.S. patent applications, which are commonly assigned to the assignee of the instant application, and which may be deemed pertinent to the instant application:

<u>Serial No.</u>	<u>Inventors</u>	<u>Filing Date</u>	<u>Group Art Unit</u>	<u>Examiner's Init.</u>
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The Examiner is respectfully requested to fully consider and independently ascertain the teachings and relevance of those applications with respect to the instant application. These applications have not been listed on the accompanying Form PTO-1449 in order to preserve their secrecy during the course of their prosecution.

5. ☐ No fee is believed to be due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with:
 - ☐ 37 C.F.R. §1.97(b)(1), within three months of the filing date of the above-identified application.
 - ☐ 37 C.F.R. §1.97(b)(2), within three months of the date of entry into the national stage as set forth in §1.491.
 - ☐ 37 C.F.R. §1.97(b)(3), before the mailing date of a first Office Action on the merits.

6. ☐ No fee is believed to be due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. 1.97(c), after the period specified in paragraph 5 above but before the mailing date of a final action or a Notice of Allowance (where there has been no prior final action), and is accompanied by one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 10 below.
7. ☒ A fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(c) after the period specified in paragraph 5 above but before the mailing date of a final action or a Notice of Allowance (where there has been no prior final action). The fee due under 37 C.F.R. §1.17(p) is to be paid as set forth in paragraph 11 below.
8. ☐ A fee is due under 37 C.F.R. §1.17(i)(1) for this Information Disclosure Statement since it is being filed in accordance with 37 C.F.R. §1.97(d), after the mailing date of a final action or a Notice of Allowance, but before the payment of the issue fee, and is accompanied by:
- a. one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 10 below; and
 - b. the attached petition requesting consideration of this Information Disclosure Statement; and
 - c. the fee due under 37 C.F.R. §1.17(i)(1) which is paid as set forth in paragraph 11 below.
9. ☐ A fee is due under 37 C.F.R. §1.17(i)(1) for this Information Disclosure Statement since it is being filed in compliance with:
- ☐ 37 C.F.R. §1.313(b)(3), after the issue fee has been paid and information cited in this Information Disclosure Statement may render at least one claim unpatentable and is accompanied by the attached Petition to Withdraw Application from Issue;
 - ☐ 37 C.F.R. §1.313(b)(5), after the issue fee has been paid and information cited in this Information Disclosure Statement is to be considered in a Continuation application upon abandonment of the instant application and is accompanied by the attached Petition to Withdraw Application from Issue.
 - ☐ The fee due under 37 C.F.R. §1.17(i)(1) is paid as set forth in paragraph 11 below.

10. ☐ I hereby certify:

- ☐ that each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. A copy of such communication is enclosed.
- ☐ that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

11. ☒ Please accept payment of the fees due as indicated below:

- ☐ A check in the amount of \$240.00 is enclosed in payment of the fee due under 37 C.F.R. 1.17(p).
- ☒ The Commissioner is hereby authorized to charge \$240.00 to Deposit Account No. 50-0271 in payment of the fee due under 37 C.F.R. §1.17(p). A duplicate copy of this sheet is attached for such purpose
- ☐ A check in the amount of \$130.00 is enclosed in payment of the fee due under 37 C.F.R. §1.17(i)(1).
- ☐ The Commissioner is authorized to charge \$130.00 to Deposit Account No. 50-0271 in payment of the fee due under 37 C.F.R. §1.17(i)(1). A duplicate copy of this sheet is attached.

12. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required for this Information Disclosure Statement, or credit any overpayment to Deposit Account No. 50-0271. A copy of this authorization is attached.

August 16, 1999

Date

Respectfully submitted,



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